

11-28-00

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

11/27/00  
jc671 U.S. PRO

In Re Application of: Broome et al.

Examiner in immediately  
preceding parent appln.: Smith, J.

Serial No.: unknown

Anticipated Group Art Unit: 3732

Filed: November 27, 2000

jc658 U.S. PRO  
09/723003  
11/27/00

For: DISTAL PROTECTION DEVICE AND METHOD

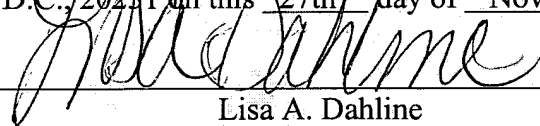
Docket No.: 1001.1350102

**TRANSMITTAL SHEET**

The Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EL593905773US , in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 27th day of November , 2000.

By   
Lisa A. Dahline

We are transmitting herewith the attached Continuation Patent Application filed under 37 CFR §1.53(b), including the following:

- ☒ 24 sheet(s) of specification.
- ☒ 5 sheet(s) of claim(s).
- ☒ 1 sheet(s) of Abstract.
- ☒ 20 sheet(s) of formal/informal drawings.
- ☒ Executed Declaration and Power of Attorney.
- ☐ A verified statement(s) to establish small entity status under 37 C.F.R. 1.9 and/or 1.27 is enclosed.
- ☐ An Assignment of the invention to \_\_\_\_\_ is being filed contemporaneous with this patent application.
- ☐ A certified copy of a \_\_\_\_\_ application, serial no. \_\_\_\_\_, filed \_\_\_\_\_, 19\_\_, the right of priority of which is claimed under 35 U.S.C. 119.

09723003 112700

CLAIMS AS FILED						
	(1)	(2)	SMALL ENTITY		OTHER	
FOR:	# FILED	# EXTRA	Rate	Fee	Rate	Fee
BASIC FEE				\$355		\$710
TOTAL CLAIMS	-20 =		x9=	\$	x18=	\$
INDEPENDENT CLAIMS	-3 =		x40=	\$	x80=	\$
( ) MULTIPLE DEPENDENT CLAIM PRESENTED			+135=	\$	+270=	\$
TOTAL			\$		\$	

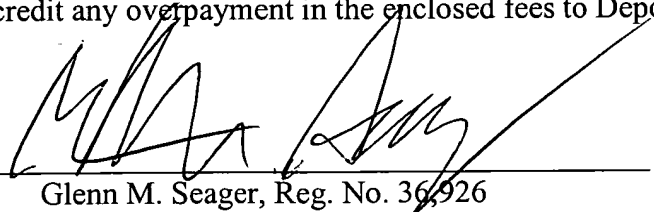
\*If the difference in Column (1) is less than zero, enter "0" in Column 2.

[X ] Other Copy of a Revocation of Prior Powers of Attorney and Power of Attorney and twelve (12) sheets of formal drawings.

[X ] A check in the amount of \$ 710.00 is enclosed.

[X ] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:

  
Glenn M. Seager, Reg. No. 36,926

CROMPTON, SEAGER & TUFTE, LLC  
331 Second Avenue South  
Suite 895  
Minneapolis, Minnesota 55401-2246  
Tel: (612) 677-9050  
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Honorable Commissioner of Patents and Trademarks  
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By \_\_\_\_\_

*Lisa A. Dahline*  
Lisa A. Dahline

This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/035,740 filed on March 5, 1998, for an invention entitled DISTAL PROTECTION DEVICE AND METHOD.

1. Enclosed is a copy of the prior application, including the inventor's DECLARATION of Thomas E. Broome, John M.K. Daniel and Thomas R. Hektner, as originally filed on August 10, 1998.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/035,740 as filed on March 5, 1998, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
3. Cancel in this application original Claims 2-21 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.



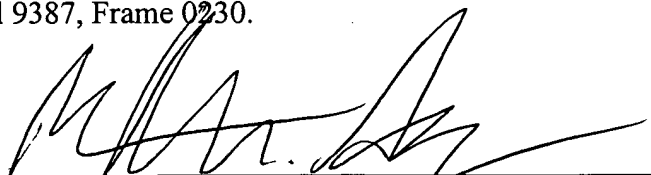
4. The filing fee is calculated below:

CLAIMS AS FILED						
FOR:	(1) No. Filed	(2) No. Extra	SMALL ENTITY		OTHER	
			RATE	FEE	RATE	FEE
BASIC FEE	XXXXX	XXXXX	XXXXX	\$355	XXXXX	\$710
TOTAL CLAIMS	1 -20=	0	X 9=	\$	X 18=	\$0
INDEPENDENT CLAIMS	1 - 3=	0	X 40=	\$	X 80=	\$0
() MULTIPLE DEPENDENT CLAIM PRESENTED			+135=	\$	+270=	\$0
TOTAL				\$	XXXXX	\$710

5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.
6. A check in the amount of \$ 710.00 is enclosed to cover the filing fee.
7. Amend the specification by inserting, immediately following "Cross-Reference to Related Application" at page 1, line 3, the following: "This application is a continuation of U.S. Application Serial No. 09/035,740, filed March 5, 1998, which in turn [This application] claims priority to copending....--
8. Please find enclosed twelve (12) sheets of drawings.
9. The power of attorney in the prior application is to Glenn M. Seager. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:
- Glenn M. Seager  
CROMPTON, SEAGER & TUFTE, LLC  
331 Second Avenue South  
Suite 895  
Minneapolis, MN 55401
10. A copy of a Revocation of Prior Powers of Attorney and Power of Attorney is attached.

11. This patent application is assigned to SciMed Life Systems, Inc., pursuant to the Assignment recorded at Reel 9387, Frame 0230.

Nov. 27, 2000  
(Date)

  
Glenn M. Seager, Reg. No. 36,926  
CROMPTON, SEAGER & TUFTE, LLC  
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